

9/13
(6)

**TOWN OF ACTON
NOTICE OF PUBLIC HEARING**

The Board of Selectmen will hold a public hearing on Monday, September 13, 2004 at 8:10 PM in Room 204 of the Town Hall, 472 Main Street, Acton, Massachusetts on a proposed amendment to the existing Traffic Rules and Orders that will add to the end of Article VIII (Operation of Vehicles), a new Section 10 (Operation on Private Ways and Parking Lots Pursuant to M.G.L. Chapter 90, Section 18) and include there under the following description:

1.) To accept at the request of Farm Hill Mall Limited Partnership the traffic control signage, pursuant to Site Plan Special Permit #07/26/00-372 as amended, and Special Use Permit #08/25/00-373 as amended, for property located at 145-149 Great Road, Acton, Massachusetts, currently known as the Brookside Shops and identified on Town Atlas Map F-4 as Parcel 37. The traffic control signage is shown on a plan entitled "Brookside Shops, Acton, Mass., Land Use Plan, for Tashmoo Cove Realty, Inc., Scale 1" = 40', Date April 4, 2000, Rev. July 15, 2000 and September 14, 2000" by Stamski and McNary, Inc., 80 Harris Street, Acton, Mass. All signs and pavement markings herein accepted shall be maintained at all times in good condition by the owner of said property.

F. Dore Hunter, Chairman

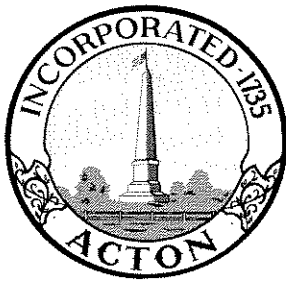
Peter K. Ashton, Vice Chairman

Robert A. Johnson, Clerk

Walter M. Foster

William H. Shupert, III

BOARD OF SELECTMEN



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9612
Fax (978) 264-9630

Don P. Johnson
Town Manager

August 26, 2004

BEACON PUBLICATIONS
Via Fax

Please print the attached notice of Public Hearing in the Legal Section of the Beacon on September 2, 2004.

Please send bill and tear sheet to me at Town hall.


Christine Joyce
Town Manager's Office

781-453-6650

Christine Joyce

From: David Abbt
Sent: Friday, August 13, 2004 2:38 PM
To: Christine Joyce; Bruce Stamski; Garry Rhodes
Cc: Corey York
Subject: RE: Comments Needed regarding Farm Hill request for signage Traffic Rules and Orders

The letter from DLPN dated August 2, 2004 and signed by Louis N. Levine, attorney for the owners should be sufficient application under MGL Chapter 90, Section 18. This is the first time the Town has been requested to adopt traffic regulations on private property under this section of the law. We will need to create a new section within the Traffic Rules and Orders and draft an amendment. Since this is a new procedure, we will also want to have a review by Town Counsel. I assume the amendment will need to be advertised as we have just done with the Stop signs. A Selectmen's meeting later in September or early October seems reasonable.

The existing Traffic Rules and Orders is an old manually typed document. We have been updating this document using the "Standard Municipal Traffic Code" suggested by MassHighway, and incorporating all the amendments adopted by the Selectmen in the last 15-20 years. This may be an opportunity to have the Selectmen vote an updated set of Traffic Regulations in Word format, which will make future amendments easier. However, the entire document will need to be advertised in the Beacon, which will be expensive.

-----Original Message-----

From: Christine Joyce
Sent: Friday, August 13, 2004 10:33 AM
To: Bruce Stamski; David Abbt; Garry Rhodes
Subject: Comments Needed regarding Farm Hill request for signage Traffic Rules and Orders
Importance: High

Again, Don needs to have comments from you for tonight's packet by 3:00 today regarding the request for amendment if the Traffic Rules and orders re: Farm Hill.

consent

Acton Police Department

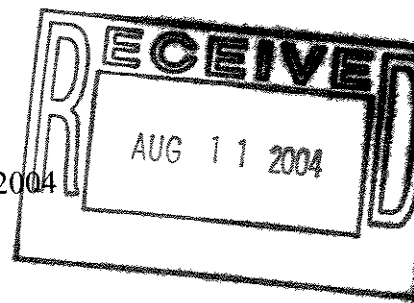
InterDepartmental Memo

From: Frank J. Widmayer, Chief of Police

Date: August 10, 2004


To: Don Johnson, Town Manager

Subj: Site Plan Special Permit for 145 Great Road



I have reviewed the request submitted by Farm Hill Mall Limited Partnership to the Board of Selectmen. In it their attorney asks that the Board accept the traffic and control signage into the Traffic Rules and Orders as provided in M.G.L. c.90, s.18. The acceptance by the Board under this section will enable us to enforce said signage. I expect this will result in better compliance.

I recommend that the Board accept the request.



Frank J. Widmayer
Chief of Police



D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.

Attorneys at Law

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Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: Site Plan Special Permit #07-26/00-372 revised
Special Permit #08/25/00-373 revised
Property: 145 Great Road, Acton, Massachusetts
Map F-4/Parcel 37

Dear Board Members:

Pursuant to Paragraph 1.4 of the Amended Decision dated June 15, 2004, the Applicant requests the Board of Selectmen accept the traffic and control signage into the "Traffic Rules and Orders" as provided in M. G. L. c. 90, §18.

Very truly yours,
FARM HILL MALL LIMITED PARTNERSHIP
By its Attorneys,
D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.

By:

Louis N. Levine

e-mail: llevine@dlpnlaw.com

LNL/jlc

cc: Farm Hill Mall Limited Partnership
Garry A. Rhodes, Building Commissioner, Town of Acton

Letter/Acton Board of Selectmen

